

## SUBCHAPTER K—SMALL PASSENGER VESSELS CARRYING MORE THAN 150 PASSENGERS OR WITH OVERNIGHT ACCOMMODATIONS FOR MORE THAN 49 PASSENGERS

EDITORIAL NOTE: For a document correcting amendments to parts 114, 116, 117, 118, 121 and 122 published at 62 FR 51326, Sept. 30, 1997 see 62 FR 64305, Dec. 5, 1997.

### PART 114—GENERAL PROVISIONS

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AUTHORITY: 46 U.S.C. 2103, 3306, 3703; 49 U.S.C. App. 1804; 49 CFR 1.45, 1.46. Sec. 114.900 also issued under 44 U.S.C. 3507.

SOURCE: CGD 85-080, 61 FR 885, Jan. 10, 1996, unless otherwise noted.

#### § 114.100 Purpose.

The purpose of this subchapter is to implement applicable sections of Subtitle II of Title 46, United States Code, which require the inspection and certification of small passenger vessels.

#### § 114.110 General applicability.

(a) Except as in paragraph (b) of this section, this subchapter applies to each vessel of less than 100 gross tons that carries more than 150 passengers, or has overnight accommodations for more than 49 passengers, and that—

(1) Carries at least one passenger for hire;

(2) Is chartered with or without a crew provided or specified by the owner or the owner's representative; or

(3) If a submersible vessel, carries at least one passenger for hire.

NOTE TO PARAGRAPH (A): For a vessel of less than 100 gross tons that carries 150 or less passengers or has overnight accommodations for 49 or less passengers, see subchapter T of this chapter.

(b) This subchapter does not apply to:

(1) A vessel operating exclusively on inland waters that are not navigable waters of the United States;

(2) An oceanographic research vessel;

(3) A boat forming part of a vessel's lifesaving equipment and that is not used for carrying passengers except in emergencies or during emergency drills;

(4) A vessel of a foreign country that is a party to the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS), to which the United States Government is currently a party, and which has on board a current valid SOLAS Passenger Ship Safety Certificate; or

(5) A vessel of a foreign country, whose government has inspection laws approximating those of the United States and which by its laws accords similar privileges to vessels of the United States, which has on board a current valid certificate of inspection, permitting the carrying of passengers, issued by its government.

(c) Unless otherwise provided, an existing vessel that is not required to comply with a requirement in this subchapter may comply with the regulation that was applicable to the vessel on March 10, 1996.

(d) A vessel required by this subchapter to meet applicable sections of subchapter H shall follow the phase-in schedule for certain equipment and requirements found in this subchapter.

[CGD 85-080, 61 FR 885, Jan. 10, 1996, as amended at 62 FR 51347, Sept. 30, 1997]

EFFECTIVE DATE NOTE: By CGD 85-080, 62 FR 51347, Sept. 30, 1997, § 114.110 was amended by revising paragraph (a), removing paragraphs (b) and (c), redesignating paragraph (f) as paragraph (b), redesignating paragraphs (d) and (e) as paragraphs (c) and (d), respectively, and removing paragraph (g), including table 114.110(g), effective Oct. 30, 1997. For the convenience of the user, the superseded text is set forth as follows:

#### § 114.110 General applicability.

(a) Except as provided in paragraphs (b) through (g) of this section, this subchapter